REMARKS

New claims 21 and 22 are presented above. Applicant respectfully requests reconsideration of this application.

The rejection of claims 1, 8 and 14 under 35 U.S.C. §103 must be withdrawn.

Applicant has already explained why the proposed combination of the *Jin* and *Martin* references cannot be made. Apparently the conclusion as a result of Applicant's most recent pre-appeal brief request for review was that such a rejection will not be sustained by the Board and that is why prosecution was reopened. The rejection has to be withdrawn because the proposed modification to the *Jin* reference cannot be made.

A proposed modification does not establish a *prima facie* case of obviousness if it involves an attempt to somehow make the *Jin* reference correspond to the arrangement of Applicant's claims. The *Jin* reference operates on a different principle of operation that cannot be changed for purposes of attempting to manufacture a *prima facie* case of obviousness. The *Jin* reference includes a base station (BTS) that distributes GPS timing information over an Ethernet connection among several BTSs connected to the one that has the GPS device. When no GPS signal is available over the Ethernet connection, a clock recovery circuit at each connected BTS takes a data stream off the Ethernet connection and uses transitions of that data stream to "recover" the clock signal from the one BTS that includes the GPS device and a special oscillator to provide the clock signal. This is described in the *Jin* reference at paragraphs 0037 and 0038 on page 4.

It is not possible to substitute in *Martin's* "numeric data time flow" in place of the clock signal recovery technique described in the *Jin* reference without completely changing the principle of operation of the arrangement in the *Jin* reference. As stated in MPEP 2143.01(VI), such a modification is not possible for purposes of attempting to manufacture a *prima facie* case of obviousness. The proposed combination cannot be made and there is no *prima facie* case of obviousness.

The rejection must be withdrawn.

The rejection of claims 4-7, 9, 11-13, 17-20 under 35 U.S.C. §103 must be withdrawn.

As described above, the proposed combination of the *Jin* and *Martin* references cannot be made. It does not help at all to suggest adding teachings from the *Telia* reference because the proposed base combination cannot be made. There is no *prima facie* case of obviousness and the rejection must be withdrawn.

The rejection of claims 2, 3, 10, 15 and 16 under 35 U.S.C. §103 must be withdrawn.

Again, the Examiner proposes to combine the *Jim* and *Martin* references but in this case proposes to add the *Bullock, et al.* reference. Given that the *Jin* and *Martin* references cannot be combined for the reasons already stated and that the *Bullock, et al.* reference does not contain any teachings that would make that base combination acceptable, there is no *prima facie* case of obviousness. In other words, the proposed addition of the teachings from the *Bullock, et al.* reference does not do anything to remedy the defect in the proposed base combination. There is no *prima facie* case of obviousness and the rejection must be withdrawn.

The rejection of claim 1 under 35 U.S.C. §103 based on the *Edwards* and *Proctor* references must be withdrawn.

The Examiner proposes to combine the *Edwards* and *Proctor* references. There is no *prima facie* case of obviousness, in part, because the *Edwards* reference does not teach what the Examiner suggests is found in the reference. The "time series" of the *Edwards* reference is not the same thing as time information. Instead, "time series" information is defined in the *Edwards* reference as "a sequence of values that are measured over time, typically at fixed time intervals." (Column 1, lines 18-19) The *Edwards* reference repeatedly makes reference to entering time or temporal information as something that is distinct from the time series data that is predicted by the neural network of the *Edwards* reference. In other words, there is nothing in the *Edwards* reference that corresponds to "generating a data set that provides future time information" as suggested by the Examiner.

It does not matter, therefore, what the *Proctor* reference teaches because even if one were to add that into the *Edwards* reference, there still would be nothing that corresponds to generating a data set that provides future time information. The time series data of the *Edwards* reference is not time information, it is information regarding some other quantity or value. The neural network of the *Edwards* reference does not generate any future time information. Therefore, there is no possible *prima facie* case of obviousness against claim 1.

The rejection of claim 14 under 35 U.S.C. §103 must be withdrawn.

The rejection of claim 14 under 35 U.S.C. §103 based upon the *Jin* and *Edwards* references must be withdrawn.

The *Edwards* reference cannot be used to modify the *Jin* reference for the same reason that the *Martin* reference cannot be used to modify the *Jin* reference. The Examiner is again attempting to completely change the principle of operation of the *Jin* reference for purposes of attempting to manufacture a *prima facie* case of obviousness. MPEP 2143.01(VI) makes it clear that the proposed modification to the *Jin* reference cannot be made. There is no *prima facie* case of obviousness. The rejection must be withdrawn.

Conclusion

This case has been and is in condition for allowance. Applicant respectfully requests a Notice of Allowance as soon as possible.

Applicant believes that fees in the amount of $104.00 are required for two additional claims. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds in the amount of $104.00, as well as for any additional fees or credit the account for any overpayment.

Respectfully submitted,

CARLSON, GASKEY & OLDS, P.C.

7-1-09

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